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cannot pluck up courage to say him nay. He declares that education is the national superstition; that whereas the robber-barons of the Middle Ages would build a Cathedral to atone for their misdeeds, now our captains of industry, our kings of this or that trust build a university, a college, or at least put up a library building, to hide a multitude of sins. Yet, with all these means of getting an education sown broadcast over the land, the education dealt out to our young people is of a very inadequate sort. In short, "*la jeu ne vaut pas la chandelle*." One is reminded too of the caustic remark of Carlyle's of the insufficiency of education in America.

Professor Wendell pays his respects to the "apostles of the kindergarten," by dealing out to them some bitter-sweet truths. Their intentions are well-meaning, they wish to make the way to learning a primrose path, free from obstructions of all sorts. Everything must be made interesting and so young people never learn to concentrate their minds; they are "wheedled" into learning, and consequently fail lamentably when called upon to grapple with any intellectual difficulty.

By the "American Revolution," the title of the second essay, we are not to understand the War of Independence which freed this country from Great Britain, but the abandonment of all our conservative ideas regarding the rights of private property, in short, the adoption of communism and socialism. Another paradox, the "Privileged Classes. They are not the beings whom we are wont to regard as such but those who take up two seats in a trolley car when they have paid but for one; who prate loudly of rights, who have done least to deserve them; those who reverse the conditions once existing here, when it was taxation without representation, and now claim representation without taxation. For questions and conditions such as these, the remedy is, in our author's estimation, education, but that of the right kind. He is eminently sane and conservative in his opinions, and his book is suggestive and inspiring.

MARY LLOYD.

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White, Albert B. *The Making of the English Constitution, 449-1485.* Pp. xxvii, 410. Price, \$2.00. New York: C. P. Putnam's Sons, 1908.

The history of mankind has passed from one stage to another by almost imperceptible changes; men's views about that history have passed from one shape to another by much more sudden steps. If a consistent account has been given of the occurrences of some period, or a clear picture drawn of its institutions, these hold for a long time, serving as the standard, accepted, and commonplace knowledge of that period. But gradually the picture becomes blurred as a result of detailed study or a changed attitude on the part of reader or student till it seems so unreal, so without verisimilitude, so full of flaws and inconsistencies, that no one is any longer satisfied with it. Then the picture is rubbed out and an effort made to draw a new one. This has been for some time the condition of our views on early English

history. The picture drawn by Kemble, Freeman, Green, and lesser men has been erased and we are trying to construct a new and more satisfactory account.

This book is of interest as being the first text-book, that is a book for beginners in constitutional history, which has deliberately disregarded the older doctrines and joined the movement for a reconstruction of our familiar conceptions of Anglo-Saxon institutions. These remarks apply more particularly to Parts I and II, the Saxon and Early Norman periods. Part III makes up the remainder of the book and consists of three long sections devoted respectively to the Judiciary, the Executive, and Parliament. Of these the first seems to the reviewer distinctly the best. It is an extremely clear, and a judicious and adequate, description of the development of legal institutions, practices, and principles, between the eleventh and the fifteenth century.

The section entitled "The Executive," although equally full and eminently scholarly, reduces itself to an account of the process by which the powers of the king were restricted to a clearly acknowledged field. As a matter of fact, this is only one aspect of the executive. It is quite as important to know what the king and his ministers could do, as to know what they could not legally do. This is a well known but none the less indefensible and unfortunate limitation of terms. English writers on the constitutional history of their country have been so preoccupied with the discussion of its peculiarities, especially in this field of limitation of the powers of the king, that they have neglected a constructive account of the monarchy. This has given rise to an artificial and narrowly legal use of the words "constitutional" and "constitutionality," as for instance where on page 269 Mr. White says there was "a germ of constitutionality" in the king's behavior. The English constitution, historically considered, was at any one time the form of government at that time, and any action was constitutional at a particular time if it was in accordance with the actual form of government at that time. To make the word constitutional synonymous with a certain degree of limitation on the power of the crown makes the word and the conception useless to the historian.

Mr. White also drops into the English habit of worship of the limited monarchy as a type of government. On page 234 he identified "hope for the people" with success in preserving the late medieval form of the monarchy. It is not self-evident that English government was the highest or best form of government. The long record, after the limitations on the monarchy were made good, of privilege, injustice, and oppression; the harshest penal code, the most unjust game laws, the most injurious land laws in Europe make one sometimes doubt the providential element in the preservation to the English of one particular group of constitutional provisions. Connected with this view of the constitution is a certain *a priori* habit of supposing that destiny was working out a scheme in England, that evolutionary forces were working unconsciously to the end that order should be obtained. Instances of this are such conceptions as the deliberate creation of local authorities described on page 38, or the intermediary purpose subserved by the weak government

of Henry III in breaking down the prestige of the Angevins in order to introduce limited monarchy as described on page 267. But this is a well established way of thinking and speaking.

On the whole, although from one point of view many of the conceptions of this book are rather legal than historical, this must not be understood as depreciatory in any way of the author. He has treated the subject with great clearness of analysis and statement, a familiarity with the best research in the field, and probably as good a combination of the topical and the chronological arrangement as can be made. There is no more clear and scholarly treatise on English constitutional history during the Middle Ages in existence. It is only fair to say that a knowledge of the narrative history of England is presupposed and necessary in the use of this book.

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